



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY OF COMMERCE AND
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, DC 2023

August 20, 2002

Kenneth A. Grandy
Woodard, Emhardt, Naughton
Moriarty & NcNett
Bank One Center/Tower, Suite 3700
Indianapolis, IN 46204-5137

In re application of:
Hallett H. Mathews DECISION ON PETITION
Serial No.: 09/519,295
Filed: March 6, 2000
For: METHOD FOR SUBCUTANEOUS SUPRAFASCIAL
PEDICULAR INTERNAL FIXATION

This is a decision on the petition received on February 7, 2002, to withdraw the holding of abandonment in the above-identified application.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R. 1.113 in timely manner to the Notice to File Missing Parts of Application mailed May 11, 2000. Which set a shortened statutory period for reply of two (2) months. Accordingly, this application became abandoned July 12, 2000. A notice of abandonment was mailed on December 3, 2001.

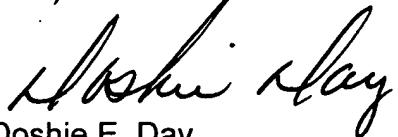
On February 7, 2002, the office received a communication from the attorney of record. Enclosed was an acknowledgment that the attorney never received the Notice to File Missing Part mailed May 11, 2000.

The evidence submitted is sufficient to establish that the petitioners never received the Notice to File Missing Parts of Application mailed May 11, 2000.

The petition is hereby GRANTED.

A new Notice to File Missing Parts is enclosed with the Decision setting forth a new response period of two months from the date of the notice.

Telephone inquiries concerning this matter may be directed to Doshie E. Day at (703) 308-3640.



Doshie E. Day
Program Management Assistant
Office Initial Patent Examination.